

**THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF THE NORTHERN MARIANA ISLANDS**

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
COMMONWEALTH OF THE)
NORTHERN MARIANA ISLANDS,)
GOVERNOR OF THE NORTHERN)
MARIANA ISLANDS,)
COMMISSIONER OF THE)
DEPARTMENT OF PUBLIC)
SAFETY, SECRETARY OF THE)
DEPARTMENT OF LABOR AND)
IMMIGRATION, SECRETARY OF)
THE DEPARTMENT OF)
COMMUNITY AND CULTURAL)
AFFAIRS,)
)
Defendants.)
)
_____)

CIVIL ACTION NO. CV 99-0017

STATUS REPORT

TINIAN DETENTION FACILITY

PART 1 OF 1 PARTS

October 1, 2005

REVIEW OF REPORT BY DOJ EXPERT JAMES BALSAMO

FACILITY: TINIAN DETENTION FACILITY

REFERENCE: Food storage/refrigeration

SUBSTANTIAL COMPLIANCE _____ YES XX NO

STATUS / DOCUMENTATION

The Tinian Detention facility does not have any food storage or refrigeration because we don't handle long term detainees.

REVIEW OF REPORT BY DOJ EXPERT JAMES BALSAMO

FACILITY: TINIAN DETENTION FACILITY

REFERENCE: Utensils clean/sanitized

SUBSTANTIAL COMPLIANCE XX **YES** **NO**

STATUS / DOCUMENTATION

The local vendors bringing meals for detainees put the food in clean disposable

Styrofoam plates with covers and bring plastic spoons and forks wrapped in napkins.

REVIEW OF REPORT BY DOJ EXPERT JAMES BALSAMO

FACILITY: TINIAN DETENTION FACILITY

REFERENCE: Food Service equipment maintenance

SUBSTANTIAL COMPLIANCE XX **YES** **NO**

STATUS / DOCUMENTATION

The Tinian Department of Public Safety does not have any food service equipment to maintain because we order meals from a local vendor which brings them to DPS whenever there is a detainee.

REVIEW OF REPORT BY DOJ EXPERT JAMES BALSAMO

FACILITY: TINIAN DETENTION FACILITY

REFERENCE: Housing unit staff person for emergencies

SUBSTANTIAL COMPLIANCE XX **YES** **NO**

STATUS / DOCUMENTATION

The DPS police officers manning the 24-hour patrol shifts are also responsible with detainees in case there are any emergencies.

REVIEW OF REPORT BY DOJ EXPERT JAMES BALSAMO

FACILITY: TINIAN DETENTION FACILITY

REFERENCE: Food Warmers

SUBSTANTIAL COMPLIANCE _____ YES XX NO

STATUS / DOCUMENTATION

The Tinian Detention facility does not have any food warmers since we don't have any long term detainees or inmates. The meals provided to the detainees are from a local restaurant.

REVIEW OF REPORT BY DOJ EXPERT JAMES BALSAMO

FACILITY: TINIAN DETENTION FACILITY

REFERENCE: Staff training in basic principles of food protection/hygiene

SUBSTANTIAL COMPLIANCE _____ **YES** _____ XX **NO**

STATUS / DOCUMENTATION

The Tinian police officers have not been trained in the basic principles of food protection and hygiene since they don't touch the food directly. The meals are in Styrofoam plates with covers.

REVIEW OF REPORT BY DOJ EXPERT JAMES BALSAMO

FACILITY: TINIAN DETENTION FACILITY

REFERENCE: Metal waste receptacles

SUBSTANTIAL COMPLIANCE _____ **YES** _____ **XX** **NO**

STATUS / DOCUMENTATION

Tinian Detention facility has no metal waste receptacles at this time.



Commonwealth of the Northern Mariana Islands
Municipality of Tinian and Aguiguan
Tinian Health Center
Bureau of Environmental Health

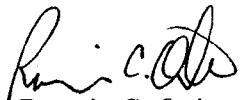
Date : September 23, 2005
To : Mr. Mike San Nicolas
Acting Director – DPS Tinian
From : Bureau of Environmental Health
Subject: DPS Detention Facility Inspection Result.

The Department of Public Safety Detention Facility was inspected on September 23, 2005. The areas inspected were cell #1. #2. #3. the female cell and shower room areas. As a result of our inspection, the detention facility was found to be in an unsanitary condition.

The following is a list of deficiencies found during the inspection:

1. Cells #1. #2. #3 and female cell
 - a. Lights are not working.
 - b. No running water.
 - c. Sink and toilet area unsanitary and has a drainage problem.
 - d. Strong urine order.
 - e. Both female and male shower rooms are dirty.(must be clean and maintain it regularly.)
2. Cells #1 & #2 and the hall way has a visible cracks on cement ceiling and also Signs of water beads, possible from the rain water leaking in.
3. Air Condition Unit is dirty. Needs cleaning.

The deficiencies listed above must be corrected as soon as possible to bring the DPS Detention Facilities up to Sanitary Living Standards. The above deficiencies are noted on previous inspections.


Ronnie C. Quitano
Env. Health Tech. I



TINIAN HEALTH CENTER

PRIMARY HEALTH CARE DIVISION

GOVERNMENT OF THE NORTHERN MARIANA ISLANDS
DEPARTMENT OF PUBLIC HEALTH-ENVIRONMENTAL SERVICES

GOVERNMENT AND PUBLIC BUILDING INSPECTION REPORT

Building DPS Detention Facility Location Tinian DPS
Person in Charge Mike San Nicolas Address San Jose Village

1. Water Supply
 - A. yes Source: Approved, Protected and Properly located.
 - B. yes Drinking Facilities: Approved type, clean.
 - C. yes Waste Water: Approved drainage - no standing pools.
2. Toilet Facilities
 - A. yes Type: Adequate, approved.
 - B. yes Cross-connection all safety precautions used
 - C. no Maintenance: In good repair.
 - D. no Floor, stools and seats cleaned daily.
 - E. yes Toilet paper: Available and accessible.
 - F. yes Light: Condition of seats readily observed.
 - G. yes Ventilation: Properly ventilated.
3. Laboratories
 - A. yes Hand washing Equipment lavatories, sinks - Approved.
 - B. none Soap: Liquid or powdered soap.
 - C. none Towels: Paper towels provided and properly stored.
 - D. no Waste Water - Approved drainage. No standing pools.
4. Heating and Ventilation
 - A. Air Condition
 - yes Temperature 68.70 °F
 - yes Frequency of air change sufficient to prevent odors.
 - B. yes Temperature control.
5. Lighting
 - Finish:
 - no Light color on wall,
 - yes ceiling Clean.
6. Building
 - A. Condition
 - no In reasonably good repair.
 - yes No fire or accident hazards.
 - yes Neat.
 - yes Floor clean.
 - B. Floor Space
 - yes Adequate for desk space.
 - yes Clean.
 - C. Cleaning Methods
 - yes No dusting and sweeping during work hours.
 - D. Grounds
 - yes Well drained.
 - yes Trash, garbage - no fly breeding places.
 - yes Clean.
 - E. none Janitors foam and supplies neat and clean.
7. Equipment
 - yes Waste paper basket approved and use.
8. Ground
 - yes No accident hazards.
 - yes Others.

Remarks: SEE ATTACHMENT

[Signature]
SANITARIAN

Received by: [Signature]

9/23/05
DATE
9-23-05
DATE

REVIEW OF REPORT BY DOJ EXPERT JAMES BALSAMO

FACILITY: TINIAN DETENTION FACILITY

REFERENCE: Back up generators

SUBSTANTIAL COMPLIANCE XX YES _____ NO

STATUS / DOCUMENTATION

The back up generator is fully functional at this time. (See attached documentation).

[illegible]

REVIEW OF REPORT BY DOJ EXPERT JAMES BALSAMO

FACILITY: TINIAN DETENTION FACILITY

REFERENCE: Fire evacuation equipment

SUBSTANTIAL COMPLIANCE _____ **YES** _____ **NO**

STATUS / DOCUMENTATION

DPS Fire Safety Coordinator has been checking all fire evacuation equipment and all are functioning properly. (Please see attached documentations)

**DEPARTMENT OF PUBLIC SAFETY
HOLDING FACILITY
SAN JOSE VILLAGE, TINIAN MP 96952**

FIRE ALARM INSPECTION LOG-SHEET

DATE	TYPE	INSPECTED BY	CONDITION
01/10/05	Ceiling Smoke Alarm	FFII.V.M.CING	GOOD
	Wall Fire Alarm *		
02/08/05	Ceiling Smoke Alarm	FFII.V.M.CING	GOOD
	Wall Fire Alarm *		
03/07/05	Ceiling Smoke Alarm	FFII.V.M.CING	GOOD
	Wall Fire Alarm *		
04/04/05	Ceiling Smoke Alarm	FFII.V.M.CING	GOOD
	Wall Fire Alarm *		
05/13/05	Ceiling Smoke Alarm	FFII.V.M.CING	GOOD
	Wall Fire Alarm *		
06/10/05	Ceiling Smoke Alarm	FFII.V.M.CING	GOOD
	Wall Fire Alarm *		
07/12/05	Ceiling Smoke Alarm	FFII.A.L.Dosalua	Good
	Wall Fire Alarm *		
08/16/05	Ceiling Smoke Alarm	FFII.A.L.Dosalua	Good
	Wall Fire Alarm *		
09/12/05	Ceiling Smoke Alarm	FFII.A.L.Dosalua	Good
	Wall Fire Alarm *		
	Ceiling Smoke Alarm		
	Wall Fire Alarm *		
	Ceiling Smoke Alarm		
	Wall Fire Alarm *		
	Ceiling Smoke Alarm		
	Wall Fire Alarm		

* Not functioning.

**DEPARTMENT OF PUBLIC SAFETY
HOLDING FACILITY
SAN JOSE VILLAGE, TINIAN MP 96952**

SCBA INSPECTION LOG-SHEET

DATE	GAUGE	INSPECTED BY	COMMENTS
01/10/05	FULL	FFII.V.M.CING	NEW SCBA
02/08/05	FULL	FFII.V.M.CING	NEW SCBA
03/07/05	FULL	FFII.V.M.CING	NEW SCBA
04/04/05	FULL	FFII.V.M.CING	NEW SCBA
05/13/05	FULL	FFII.V.M.CING	NEW SCBA
06/10/05	FULL	FFII.V.M.CING	NEW SCBA
07/12/05	FULL	FFII.A.L.Dosalua	New SCBA
08/16/05	FULL	FFII.A.L.Dosalua	New SCBA
09/12/05	FULL	FFII.A.L.Dosalua	New SCBA

**DEPARTMENT OF PUBLIC SAFETY
HOLDING FACILITY
SAN JOSE VILLAGE, TINIAN MP 96952**

FIRE INSPECTION LOG-SHEET-2005

DATE	TYPE OF EXTINGUISHER	INSPECTED BY	COMMENTS
01/10/05	A.B.C./DRY CHEMICAL	FFII.V.M.CING	FULL CHARGE
02/08/05	A.B.C./DRY CHEMICAL	FFII.V.M.CING	FULL CHARGE
03/07/05	A.B.C./DRY CHEMICAL	FFII.V.M.CING	FULL CHARGE
04/04/05	A.B.C./DRY CHEMICAL	FFII.V.M.CING	FULL CHARGE
05/13/05	A.B.C./DRY CHEMICAL	FFII.V.M.CING	FULL CHARGE
06/10/05	A.B.C./DRY CHEMICAL	FFII.V.M.CING	FULL CHARGE
07/12/05	A.B.C./DRY CHEMICAL	FFII.A.L.Dosalua	Full Charge
08/16/05	A.B.C./DRY CHEMICAL	FFII.A.L.Dosalua	Full Charge
09/12/05	A.B.C./DRY CHEMICAL	FFII.A.L.Dosalua	Full Charge
	A.B.C./DRY CHEMICAL		
	A.B.C./DRY CHEMICAL		
	A.B.C./DRY CHEMICAL		

REVIEW OF REPORT BY DOJ EXPERT JAMES BALSAMO

FACILITY: TINIAN DETENTION FACILITY

REFERENCE: Fire Safety Training

SUBSTANTIAL COMPLIANCE XX YES NO

STATUS / DOCUMENTATION

DPS Fire Safety Coordinator has been doing drills in case there is an emergency evacuation. (See attached documentation).

**TINIAN DETENTION FACILITY
FIRE DRILL FORM**

1. Area drilled: TINIAN DPS/ HOLDING FACILITY
2. Time drilled: 0900 hrs.
3. Name of monitor: FPII. A.L. Dosatua
4. What route was used? Primary or Secondary? Which exits were used?
Primary & Secondary exits were used. Front desk and Traffic exits.
5. Elapsed time to evacuate area: 7 minutes
6. Number of staff evacuated: 14
7. Number of offenders evacuated: 0
8. Were staff & offender counts conducted: ☒ yes ☐ no
9. Was the evacuation accomplished electrically or by key? key
10. Did evacuation go to the primary or secondary staging area? Secondary up wind.
11. Did staff shut doors and windows upon evacuation? Facility is climate controlled with windows always closed. DPS personnel shut facility doors.
12. Were exit signs lighted? ☐ Yes ☒ no If no indicate the number of exit lights that need to be replaced. Both (3)
13. What alarm pull or detector was tested? Smoke Alarm, Wall alarm not functional
14. Did supervisor wait for all clear before re-entering the building? ☒ Yes ☐ no
15. General comments, problems and recommendations: Fire drills are conducted quarterly by the Fire Coordinator to ensure readiness and compliance with the consent decree. Wall Alarm to be addressed by FEMA.

Fire Safety Officer Signature: [Signature]

Date: 9/12/05

REVIEW OF REPORT BY DOJ EXPERT JAMES BALSAMO

FACILITY: TINIAN DETENTION FACILITY

REFERENCE: Emergency Lighting

SUBSTANTIAL COMPLIANCE XX **YES** **NO**

STATUS / DOCUMENTATION

Tinian Detention facility has an emergency lighting receptacle in case of a power outage.

REVIEW OF REPORT BY DOJ EXPERT JAMES BALSAMO

FACILITY: TINIAN DETENTION FACILITY

REFERENCE: Fire Safety and emergency coordinator

SUBSTANTIAL COMPLIANCE XX **YES** **NO**

STATUS / DOCUMENTATION

The Tinian DPS has assigned FireFighter II Augustine L. Dosalua to be the Fire Safety and emergency coordinator. He is also currently the Emergency Medical Services Commander.